

PATENT APPLICATION  
Docket No.: 9312.52  
**FAX RECEIVED**

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE JUL 28 2006

**In re application of:**

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## OFFICE OF PETITIONS

Serial No.: 10/731,874 Art Unit  
Filed: December 09, 2003 1764  
For: VALVE SYSTEM AND METHOD FOR Conf. No  
UNHEADING A COKE DRUM 6740  
Examiner: Alexa A. Doroshenk )  
 )  
 )

**PETITION TO WITHDRAW FROM ISSUE UNDER 37 CFR 1.313**

**MAIL STOP: PETITION, COMMISSIONER FOR PATENTS**  
**Office of Petitions**  
**P.O. Box 1450**  
**Alexandria, VA 22313-1450**

### Greetings:

Pursuant to 37 C.F.R. 1.313(c) Applicant requests that the above referenced patent application be withdrawn from issue. Applicant herewith includes a Request for Continued Examination pursuant to 37 C.F.R. 1.114, and respectfully provides the following.

In the matters captioned Curtiss-Wright Flow Control Corporation v. Z&J Technologies GMBH & Zimmermann & Jansen, Inc., Case No. 2:06-cv-02402-SJO-JTL in the Central District of California, filed April 19, 2006, and Curtiss-Wright Flow Control Corporation v. Velan, Inc., Case No. 5:04-cv-01157-OLG-JWP in the Western District of Texas, filed December 16, 2004, allegations of inequitable conduct and invalidity have been raised against parent patents of the

Serial #: 10/731,874  
Page 2 of 3

current application. As a result, Applicant wishes to comply with any potential obligation under MPEP 2001.06(c) and further wishes to submit additional prior art.

Applicant previously submitted on July 26, 2006 the following documents: 1) an Information Disclosure Statement which contains several U.S. patent references, along with several non-patent references, 2) copies of court pleadings and orders from the above-mentioned litigation showing assertions of the current owner of the parent patents, Curtiss-Wright Flow Control Corporation, and of other parties to the litigation, namely Velan, Inc. and Z&J Technologies GMBH and Zimmermann & Jansen, Inc. Applicant hereby requests that these documents be considered in conjunction with this Petition to Withdraw from Issue.

Applicant also previously submitted on July 26, 2006 a fee representing the fee for a petition to withdraw from issue, the fee for continued examination, and the fee for consideration of an Information Disclosure Statement. As Applicant has been notified by the Office that the submission on July 26, 2006 had deficiencies, Applicant hereby requests that the fee paid on July 26, 2006 be applied to this Petition to Withdraw from Issue..